

REMARKS

Claims 1-33 are pending in this application.

Applicants thank the Examiner for participating in a telephone interview with the undersigned attorney on May 25, 2004. The amendments presented above are in response to that interview and in accordance with the Examiner's suggestion.

The Examiner rejected claims 1, 2, 4, 6-13, 15, 17-24, 26, and 28-33 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. US 2002/0077130 A1 to Owensby.

Claim 1 as amended recites:

A method for determining a billing rate of a mobile telecommunications connection associated with a mobile telecommunications unit (MU), comprising the steps of:

- determining whether a location of the MU is inside or outside a predetermined subsidized zone;
- responsive solely to a determination that the location of the MU is inside the predetermined subsidized zone, adjusting the billing rate for the telecommunications connection to a first predetermined billing rate; and
- responsive solely to a determination that the MU is outside the predetermined subsidized zone, adjusting the billing rate for the telecommunications connection to a second predetermined billing rate.

Owensby discloses subsidizing a portion of a user's wireless bill to reward users who accept targeted advertisements on their wireless devices. If the user does not accept advertisements, then there is no subsidy applied, regardless of where the user uses the wireless device.

In contrast, the claimed invention recites adjusting the billing rate "responsive solely to a determination that the location of the MU is inside the predetermined subsidized zone." Unlike Owensby, which requires the user to accept an advertisement in order to get a discount, the claimed invention changes the billing rate for the user subject solely to the location of the MU. This is a feature not taught, disclosed or suggested by Owensby, and the presented amendment addresses the Examiner's assertion that Applicant was previously arguing limitations not found in the claim. Accordingly, claim 1 as amended is patentable over Owensby.

Dependent claims 2-11 depend from patentable independent claim 1, and thus derive their patentability from the patentability of claim 1, in addition to reciting their own patentable features. Independent claims 12 and 23 as amended are patentable over Owensby for reasons

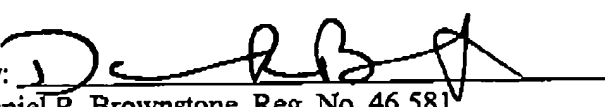
analogous to claim 1. Dependent claims 13-22 and 24-33 depend from independent claims 12 and 23, respectively, and derive their patentability from the patentability of claims 12 and 23, in addition to reciting their own patentable features.

Entry of the presented amendments and allowance of all claims now pending, claims 1-33, are solicited. The Examiner is invited to contact the Attorney for Applicants at the telephone number below if any matters remain outstanding prior to allowance.

Respectfully submitted,

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